

# **EXHIBIT C**

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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**BLACK LOVE RESISTS IN THE RUST, et al.,**  
**individually and on behalf of a class of**  
**all others similarly situated,**

Plaintiffs,

vs.

1:18-cv-00719-CCR

**CITY OF BUFFALO, N.Y., et al.,**

Defendants.  
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**ORAL EXAMINATION OF KEVIN HELFER**

**APPEARING REMOTELY FROM**

**BUFFALO, NEW YORK**

June 22, 2022

12:00 p.m. - 5:01 p.m.

pursuant to notice

REPORTED BY:

Luanne K. Howe

APPEARING REMOTELY FROM CUYAHOGA COUNTY, OHIO

DEPAOLO CROSBY REPORTING SERVICES, INC.  
716-853-5544

1 truck drivers. With a full staff of City towers  
2 there is a significant decrease in the amount of  
3 private tows that we will need." Do you see that?

4 A I do.

5 Q Why was the decision made to hire more tow -- more  
6 city tow drivers?

7 A I was trying to determine if it would be more cost  
8 effective to do it internally instead of externally.

9 Q And so did you make the determination to hire more  
10 city tow drivers, or was that someone else?

11 A If the commissioner of Administration and Finance  
12 would agree with me, that let's try this initiative  
13 and see if it's more cost beneficial to the city, she  
14 would have put the funding in and then I would have  
15 hired the staff.

16 Q And that's Commissioner Estrich?

17 A Correct.

18 Q So was this a joint decision between you and  
19 Commissioner Estrich?

20 A Yes.

21 Q Do you recall if that resulted in more net revenue  
22 for the city?

23 A It was -- I don't recall that initiative. We

1 Q Okay. Did you discuss the BTVA being an opportunity  
2 for revenue for the city?

3 A I don't ever recall saying that it's just for  
4 revenue. I think we discussed that it would be a lot  
5 more fair to the citizens of the City of Buffalo to  
6 have this in a number of ways. The revenue is -- if  
7 I'm not mistaken -- and Commissioner Estrich probably  
8 knows this a lot better than me -- when the state had  
9 it, we would get a piece of the revenue.

10 By administrating it ourselves, I believe that  
11 we were able to get the revenue, but we would have to  
12 also have all the expenditures as well.

13 Q Do you know if the creation of the BTVA allowed the  
14 City of Buffalo to keep more revenues than it was  
15 receiving prior to the creation of the BTVA?

16 MS. RAUH: Form.

17 A I don't know off the top of my head.

18 Q Did you have any discussions with Mayor Brown about  
19 the creation of the BTVA?

20 A I don't recall having those discussions with him  
21 specifically about that.

22 Q Okay. You mentioned potentially discussing that it  
23 would be more fair. Could you just explain what you